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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,131	03/27/2001	Allen Kai-Lang Yu	10007602-1	8648

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

PARDO, THUY N

ART UNIT	PAPER NUMBER
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2175

3

DATE MAILED: 07/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,131

Applicant(s)

YU, ALLEN KAI-LANG

Examiner

Thuy Pardo

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 03.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. Claims 1-14 are presented for examination.

Information Disclosure Statement

2. The information disclosure statement filed on March 27, 2001 (Paper No. 2) has been placed in the application file. The information referred to therein has been considered as to the merits.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 37 1© of this title before the invention thereof by the applicant for patent.

4. Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by **Biffar** US Patent No. 6,397,212.

As to claim 1, Biffar teaches a method in which search items returned in response to a present user's present search request are prioritized according to an algorithm which assigns greater weight to interest indications by relatively similar users making relatively similar search requests

than to interest indications by relatively dissimilar users and than to interest indications making relatively dissimilar search requests [see the abstract; fig. 8; col. 1, lines 39-45].

As to claim 2, Biffar teaches the invention substantially as claimed. Biffar further teaches receiving a search request from a user [col. 7, lines 31-33]; assigning said user to a community [ab; col. 7, lines 49-61; col. 2, lines 56 to col. 3, lines 14]; assigning said search request to a search query [fig. 3-4]; submitting said query so as to yield a set of response items [ab; col. 7, lines 62 to col. 8, lines 7]; and prioritizing said response items as a function of prior search requests by said community [col. 11, lines 41-45].

As to claim 3, Biffar teaches the invention substantially as claimed. Biffar further teaches tracking indications of interest by said user in individual ones of said response items and storing the results of said tracking on a per user and/or per-community basis [col. 11, lines 53 to col. 12, lines 10].

As to claim 4, Biffar teaches the invention substantially as claimed. Biffar further teaches using said results in prioritizing items collected in response to subsequent search requests by other users assigned to said community [col. 11, lines 54-62].

As to claim 5, Biffar teaches the invention substantially as claimed. Biffar further teaches that all else being equal, interest indications associated with a community are given greater weight than other interest indications by the parent of said community [col. 4, lines 28-67].

As to claim 6, Biffar teaches the invention substantially as claimed. Biffar further teaches that said user is assigned to a community in part as a function of said indications of interest [col. 5, lines 4-9].

As to claim 7, Biffar teaches the invention substantially as claimed. Biffar further teaches that said user is assigned to a community as a function of a selection of said community by said user [col. 3, lines 25-35].

As to claim 8, Biffar teaches the invention substantially as claimed. Biffar further teaches said user is assigned to a community as a function of a profile of said user existing before said search request is made [col. 4, lines 28-65].

As to claim 10, Biffar teaches the invention substantially as claimed. Biffar further teaches a trader for tracking indications of interest by a user in search items collected in response to said search request from said user, said prioritizer using said indications of interest to determine said function for future queries [col. 7, lines 54-61].

As to claim 11, Biffar teaches the invention substantially as claimed. Biffar further teaches said community assigner assigns said user to a community for said future search requests at least in part as a function of said indications of interest [col. 8, lines 35-56].

As to claim 12, Biffar teaches the invention substantially as claimed, comprising: a key field identifying hit counts, a second field indicating a values for respective hit counts, a query context field indicating query contexts for respective hit counts, and a user and/or a community field indicating respective users and/or communities associated with said hit counts [see fig. 5].

As to claims 9, 13-14, all limitations of this claim have been addressed in the analysis above, and this claim is rejected on that basis.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy Pardo, whose telephone number is (703) 305-1091. The examiner can normally be reached Monday through Thursday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

The fax phone number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 (After Final Communication)

(703) 746-7239 (Official Communication)

(703) 746-7240 (For Status inquiries, draft communication)

and/or:

(703) 746-5616 (*Use this Fax#, only after approval by Examiner, for "INFORMAL" or "Draft" communication. Examiner may request that a formal/amendment be faxed directly to them on occasions).*)

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5359, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).



June 26, 2003
Phuy Pardo